

Article 2

PURPOSE AND INTENT

- A. It is the purpose of this Agreement to express the negotiated agreements of the parties with respect to the wages, hours and terms and conditions of employment of the unit members covered by this Agreement; to recognize the continuing responsibility of the State to provide efficient and uninterrupted services and satisfactory employee conduct to the public, and to provide an orderly, prompt, peaceful, and equitable procedure for the resolution of differences between employees and the Employer.
- B. The parties recognize that they are subject to the rules, regulations, and compensation plan of the Michigan Civil Service Commission. The parties therefore adopt and incorporate herein such rules (excluding rules governing prohibited subjects of bargaining), regulations and compensation plan in effect on the date that this Agreement is approved by the Civil Service Commission, provided that the subject matter of such rules, regulations, and compensation plan is not covered in this Agreement. Upon approval by the Civil Service Commission, the provisions of this Agreement shall automatically modify or supersede: (1) conflicting rules, regulations and interpretive letters of the Civil Service Commission and Department pertaining to wages, hours, and terms and conditions of employment (but excluding Civil Service rules and regulations governing prohibited subjects of bargaining) and (2) conflicting rules, regulations, practices, policies and agreements of or within Departments/Agencies pertaining to terms and conditions of employment.
- C. If, during its terms, the parties hereto should mutually agree to modify, amend or alter the provisions of this Agreement, in any respect, any such changes shall be effective only if reduced to writing and executed by the authorized representatives of the Office of the State Employer and the MPES, and approval by the Civil Service Commission.
- D. No individual unit member or group of unit members, acting without the specific authorization of MPES, may alter, amend or modify any provisions hereof. No individual Department or Agency of State Government, or group of such Departments or Agencies, acting without the specific authorization of the State Employer, may alter, amend, or otherwise modify any provision of this Agreement.
- E. The Employer agrees that, in accordance with the Civil Service Rules and Regulations, terms and conditions of employment which are mandatory topics of bargaining which are in effect on the effective date of this Agreement will continue in effect throughout the life of this Agreement under the conditions upon which they were previously granted, unless otherwise provided for or abridged by this Agreement, or unless altered by

mutual agreement between the Office of the State Employer and the Union through negotiations, and approved by the Civil Service Commission.

- F. This Agreement, including its supplements and exhibits attached hereto (if any) concludes all negotiations between the parties during the term hereof, and satisfies the obligation of the Employer to bargain during the term of this Agreement. The Union and the Employer acknowledge and agree that the bargaining process, under which this Agreement has been negotiated, is the exclusive process for affecting terms and conditions of employment at both primary and secondary levels, and such terms and conditions shall not be addressed under the conference procedure of the Civil Service Rules and Regulations. The parties acknowledge that, during the negotiations which preceded this Agreement, each had the unlimited right and opportunity to make demands and proposals with respect to any negotiable subject or matter, and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Agreement. This Agreement, including its supplements and exhibits attached hereto, concludes all collective bargaining between the parties hereto, and supersedes all prior Agreements, and practices, oral and written, expressed or implied, and expresses all obligations and restrictions imposed upon each of the respective parties during its term, provided that Article 2, Section E, shall not be impaired. All negotiable terms and conditions of employment not covered by this Agreement shall not be impaired. Nothing shall preclude the parties from meeting during the life of this Agreement and negotiating any mandatory topic of bargaining or other mutually agreeable subject.
- G. If any provision of this Agreement or application thereof is found to be unlawful by a court of competent jurisdiction or by the Michigan Civil Service Commission, then that provision shall be null and void, but all other provisions shall remain in full force and effect. The parties agree in these cases to meet and negotiate those provisions which have been declared null and void.